Appl. No. 09/669,032
Amdt. dated July 22, 2004
Reply to Office Action of April 22, 2004

PATENT

REMARKS/ARGUMENTS

STATUS OF APPLICATION

Claims 18-31 are pending in this patent application. Claims 1-17 have been canceled without prejudice. Claims 18-31 have been added. Support for new claims can be found in the specification, including page 7, lines 3-30. No new matter has been added.

The abstract was objected to for informalities. Appropriate corrections have been made.

Claim 14 was objected to because of informalities.

Claims 8, 9, 11, 12, and 15 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. patent 6,501,967 to Makela et al. ("Makela").

Claims 10, 13, 14, and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Makela in view of U.S. patent 6,100,462 to Aoki ("Aoki").

NEW CLAIMS

Claims 18-22

Applicants respectfully submit that the cited references does not teach or suggest each and every feature recited in claim 18. For example, claim 18 recites, in part, "a controller which shifts a scale of melody data inputted by the input unit when a frequency of the inputted melody data is not in a predetermined range; a memory which ... stores melody data shifted by the controller when the frequency of the inputted melody data is not in the predetermined range; ... ." Neither Makela nor Aoki discusses these features as claimed.

Makela merely discloses a telephone comprising a sound generator. The sound generator generates a ringing tone, which is a sequence of sounds with a specific frequency based on the melody input by the user. (Makela: abstract; col. 5, lines 47-49 and 64-67). Aoki merely discloses a method for generating a melody. In the method, a note scale is provided based on inputted key information and chord information, which designates chords for a melody. (Aoki: abstract; col. 5, lines 23-27; claim 8). Neither Makela nor Aoki discloses that the inputted

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melody data is changed and the changed melody data is stored in a memory when a frequency of the inputted melody is not in a predetermined range.

Accordingly, claim 18 should be allowed for at least these reasons. Claims 19-22, which depend from claim 18, should be allowed for at least a similar rationale.

Claims 23-24

Applicants respectfully submit that the cited references does not teach or suggest each and every feature recited in claim 23. For example, claim 23 recites, in part, "a memory which stores melody data inputted by the input unit when a frequency of the inputted melody data is in the range, and stores melody data shifted by the controller when the frequency of the inputted melody data is not in the range; ... ." Neither Makela nor Aoki discusses these features as claimed.

Accordingly, claim 23 should be allowed for at least this reason. Claim 24, which depends from claim 24, should be allowed for at least a similar rationale.

Claims 25-29

Applicants respectfully submit that the cited references does not teach or suggest each and every feature recited in claim 25. For example, claim 25 recites, in part, "storing the inputted melody data when the frequency of the inputted melody data is in the predetermined range, and storing melody data whose scale is shifted when the frequency of the inputted melody data is not in the predetermined range; ... ." Neither Makela nor Aoki discusses these features as claimed.

Accordingly, claim 25 should be allowed for at least this reason. Claims 26-29, which depend from claim 25, should be allowed for at least a similar rationale.

Claims 30-31

Applicants respectfully submit that the cited references does not teach or suggest each and every feature recited in claim 30. For example, claim 30 recites, in part, "storing the inputted melody data when the frequency of the inputted melody data is in the range, and storing

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PATENT

melody data whose scale is shifted when the frequency of the inputted melody data is not in the range; ... ." Neither Makela nor Aoki discusses these features as claimed.
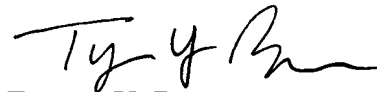
Accordingly, claim 30 should be allowed for at least this reason. Claim 31, which depends from claim 30, should be allowed for at least a similar rationale.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

Tyrome Y. Brown
Reg. No. 46,580

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
TYB:asb
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